

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	CRIMINAL NO. 06-10-5-J
v.)	
)	
KRIS SHOFF,)	JUDGE KIM R. GIBSON
Defendant.)	

MEMORANDUM OPINION & TENTATIVE FINDINGS AND RULINGS

Gibson, J.

AND NOW, this 16th day of February, 2007, the Probation Office having conducted a presentence investigation and submitted a presentence report; the United States having filed its position paper as required by Local Criminal Rule 32.1(D) indicating that it has no objections to the presentence report; Defendant having filed no position paper with regard to sentencing factors; the Probation Office having received no objections to the presentence report as of February 8, 2007; and the Probation Office having submitted the final addendum to the presentence report pursuant to Local Criminal Rule 32.1(F), the Court makes the following tentative findings and rulings:

- 1) On October 16, 2006, Kris Shoff (hereinafter "Defendant"), appeared before this Court and plead guilty to Count 1 of the indictment at Criminal Number 06-10-5-J, charging him with conspiracy to distribute and possess with intent to distribute five hundred grams or more of cocaine and five grams or more of cocaine base, Schedule II substances, from in or around July 2004 to on or about May 13, 2005, in violation of Title 21 United States Code, Section 846.
- 2) On January 16, 2007, the United States Probation Office filed a Presentence Investigation Report (hereinafter "PIR") in this matter. On January 24, 2007, the United States filed its position indicating that it had no objections to the PIR. Defense counsel did not file a Response to the PIR.

- 3) In the absence of objections, the Court tentatively adopts the PIR in its entirety.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style. It is positioned above a horizontal line.

KIM R. GIBSON
UNITED STATES DISTRICT JUDGE

Cc: John Valkovci, AUSA
Arthur S. Cohen
Eric Bossart, USPO